

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:04-CV-558

RICHARD KRANTZ ROLLOVER IRA,	)	
on behalf of itself and all	)	
others similarly situated,	)	
Plaintiff,	)	
	)	
v.	)	
	)	ORDER
SUMMIT PROPERTIES, INC., WILLIAM B.	)	
MCGUIRE, JR., WILLIAM F. PAULSEN,	)	
STEVEN R. LEBLANC, JAMES H. HANCE,	)	
JR., JAMES M. ALLWIN, HENRY H.	)	
FISHKIND, WENDY P. RICHES, NELSON	)	
SCHWAB III, and CAMDEN PROPERTY	)	
TRUST,	)	
Defendants.	)	
	)	

THIS MATTER is before the Court upon its own motion. The parties have entered a Stipulation of Settlement and now seek to have this Court certify a settlement class. The Court notes the apparent absence of any prior class certification, and the parties have not briefed the issue of whether or not this action qualifies as a class action under Rule 23 of the Federal Rules of Civil Procedure. Though the parties have stipulated that such a class exists, such stipulation alone is insufficient for the Court to certify class status to an action. IT IS THEREFORE ORDERED that the parties submit briefs on the issue of class qualification within twenty (20) days from the date of this Order.

**Signed: October 25, 2005**



Graham C. Mullen  
Chief United States District Judge

